

0355763

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ORDINANCE NO. 498

AN ORDINANCE OF THE CITY OF FRUITLAND, IDAHO, ANNEXING WITH RESPECT TO ADJOINING LANDS TO THE CITY OF FRUITLAND, IDAHO; AMENDING THE COMPREHENSIVE PLAN MAP AND ZONING MAP; DESIGNATION OF CERTAIN HEREINAFTER DESCRIBED REAL PROPERTY FROM PUBLIC AND LARGE LOT RESIDENTIAL TO HEAVY INDUSTRIAL AND LIGHT INDUSTRIAL; REPEALER; SEVERABILITY; EFFECTIVE DATE.

BE IT ORDAINED By the Mayor and City Council of the City of Fruitland, Idaho:

Section 1. That the following described real property adjoining the limits of the City of Fruitland and located in the County of Payette, Idaho, is hereby added to, taken into, annexed and made a part of the City of Fruitland.

A parcel of land being a portion of the SE1/4NE1/4, a portion of the NE1/4NE1/4 of Section 9, a portion of Government Lot 2 of Section 15, a portion of Government Lots 7, 8, & 9 of Section 10, Township 8 North, Range 5 West, Boise Meridian, Fruitland, Payette County, Idaho, more particularly described as follows:

Commencing at the southwest corner of said Section 10;

Thence N 01°33'21" E a distance of 2399.27 feet along the west boundary of said Government Lots 8 & 9 to the POINT OF BEGINNING of said annexation;

Thence N 01°33'21" E a distance of 236.48 feet along the west boundaries of said Government Lots 8 & 9 to the southeast corner of said SE1/4NE1/4;

Thence S 89°59'54" W a distance of 244.82 feet along the south boundary of said SE1/4NE1/4 to a point on the easterly right of way of the Payette Valley Railroad and being the beginning of a non-tangential curve;

Thence along said easterly right of way said curve to the right through an angle of 12°58'50", having a radius of 1121.30 feet, and whose long chord bears N 33°17'30" W a distance of 253.49 feet to a point;

Thence continuing along said easterly right of way N 26°47'54" W a distance of 1133.92 feet to a point;

Thence leaving said easterly right of way N 80°25'17" E a distance of 922.27 feet to a point on the meander line being approximately the left top of bank of the Payette;

Thence along said meander line being approximately the left top of the Payette the following courses and distances;

Thence S 08°47'29" E a distance of 64.35 feet to a point;

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Instrument # 355763

PAYETTE COUNTY

9-9-2008

09:34:39 No. of Pages: 8

Recorded for: CITY OF FRUITLAND

BETTY J DRESSEN

Ex-Officio Recorder Deputy

Index to: ORDINANCE

*Kathryn H. Hurren*  
*Misc*

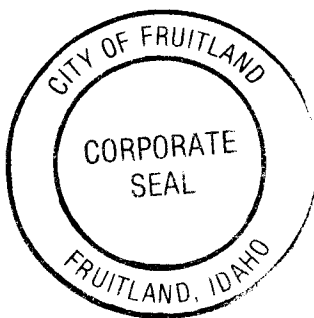
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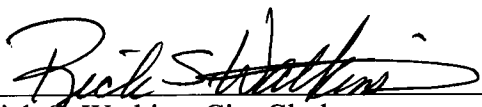
CLERK'S CERTIFICATION

STATE OF IDAHO     )  
                              : ss.  
County of Payette    )

I, Rick S. Watkins, the duly appointed, qualified and acting City Clerk of the City of Fruitland, County of Payette, State of Idaho, do hereby certify that the attached is a full, true and complete copy of Ordinance No. 498 passed and approved this 8<sup>th</sup> day of September, 2008.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Fruitland, Idaho this 8th day of September, 2008.



  
Rick S. Watkins, City Clerk

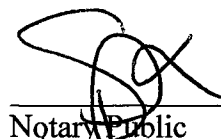
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STATE OF IDAHO           )  
                                  : ss.  
County of Payette        )

On this 8th day of September, in the year of 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared THOMAS E. LIMBAUGH and RICK S. WATKINS, known to me to be the MAYOR and CITY CLERK of said municipal corporation that executed this instrument and the persons who executed the said instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year first written.

SUZANNE PEARCY  
NOTARY PUBLIC  
STATE OF IDAHO



Notary Public  
Residing in Fruitland, Idaho  
My commission expires: 6-17-2011

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Thence S 01°33'31" W a distance of 825.09 feet parallel with the west boundary of said Government Lot 9 to a point on the south boundary of said Government Lot 9;

Thence N 89°15'55" W a distance of 40.00 feet along said south boundary to a point;

Thence N 01°33'31" E a distance of 825.09 feet parallel with the west boundary of said Government Lot 9 to a point;

Thence N 89°15'55" W for a distance of 590.10 feet parallel with the south boundary of said Government Lot 9 to the POINT OF BEGINNING.

This annexation contains 14.366 acres more or less.

Section 6. The above- described property is hereby zoned Light Industrial.

Section 7. The comprehensive plan map is hereby amended to designate the above-described property as Light Industrial.

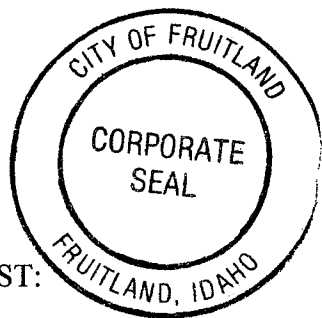
Section 8. The zoning map is hereby amended to designate the above-described property as Light Industrial.

Section 9. If any portion of this Ordinance is found to be unenforceable or unconstitutional for any reason, the remaining portion of this Ordinance shall remain in full force and effect.


Section 10. Any portion of any existing ordinances in direct conflict with this Ordinance are hereby repealed insofar as the conflict exists.

Section 11. This Ordinance shall take effect and be in full force from and after its passage, approval and publication.

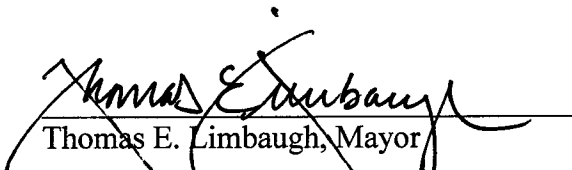
PASSED and APPROVED By the Mayor and City Council this 8<sup>th</sup> day of September, 2008.



ATTEST:

  
Rick S. Watkins, City Clerk

CITY OF FRUITLAND

  
Thomas E. Limbaugh, Mayor

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Thence N 46°32'51" W a distance of 483.21 feet along said easterly right of way to the POINT OF BEGINNING;

This annexation contains 54.62 acres more or less.

Section 2. The above-described property is hereby zoned Heavy Industrial.

Section 3. The comprehensive plan map is hereby amended to designate the above-described property as Heavy Industrial.

Section 4. The zoning map is hereby amended to designate the above-described property as Heavy Industrial.

Section 5. That the following described real property adjoining the limits of the City of Fruitland and located in the County of Payette, Idaho, is hereby added to, taken into, annexed and made a part of the City of Fruitland.

An annexation of land being a portion of Government Lots 8 & 9 of Section 10, Township 8 North, Range 5 West, Boise Meridian, Fruitland, Payette County, Idaho, more particularly described as follows:

Commencing at the southwest corner of said Section 10;

Thence N 01°33'21" E a distance of 825.15 feet along the west boundary of said Government Lot 9 to the POINT OF BEGINNING of said annexation;

Thence N 01°33'21" E a distance of 1574.13 feet along the west boundaries of said Government Lots 8 & 9 to a point on the easterly right of way of the Payette Valley Railroad;

Thence S 46°32'51" E a distance of 483.21 feet along said easterly right of way of the Payette Valley Railroad to a point;

Thence leaving said right of way S 00°00'00" W a distance of 1146.26 feet to a point;

Thence S 89°15'55" E a distance of 635.06 feet to a point on the easterly right of way of the Payette Valley Railroad;

Thence S 11°01'36" E a distance of 102.14 feet along said easterly right of way of the Payette Valley Railroad to a point;

Thence leaving said right of way N 89°15'55" W a distance of 418.05 feet parallel with the south boundary of said Government Lot 9 to a point;

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Thence S 04°06'15" E a distance of 113.97 feet to the beginning of a non-tangential curve;

Said curve to the left through 04°55'51", having a radius of 1809.86 feet, and whose long chord bears S 02°22'25" W a distance of 155.71 feet a point on the southerly right of way of the Payette Valley Railroad and being the beginning of a non-tangential curve;

Thence along said southerly right of way of Payette Valley Railroad the following courses and distances;

Said curve to the left through an angle of 00°58'03", having a radius of 5704.58 feet, and whose long chord bears N 51°34'58" W a distance of 96.33 feet to a point;

Thence N 54°04'51" W a distance of 145.38 feet to a point the westerly right of way of State Highway 95 and being the beginning of a non-tangential curve;

Thence along said westerly right of way of State Highway 95 the following courses and distances;

Said curve to the right through an angle of 01°34'52", having a radius of 2004.86 feet, and whose long chord bears N 07°55'22" E a distance of 55.33 feet to a point;

Thence N 18°27'15" E a distance of 95.95 feet to a point of non-tangential spiral;

Thence along a spiral to the right with a length of 305.89, having a theta angle of 04°30'00", and a long chord which bears N 10°55'00" E a distance of 305.57 feet to a point;

Thence N 12°25'24" E a distance of 403.65 feet to a point;

Thence leaving said westerly right of way N 44°12'16" W a distance of 449.97 feet to a point;

Thence N 89°15'55" W a distance of 396.95 feet parallel with the south boundary of said Government Lot 9 to a point on the easterly right of way of the Payette Valley Railroad;

Thence N 11°01'36" W a distance of 102.14 feet along said easterly right of way to a point;

Thence leaving said easterly right of way N 89°15'55" W for a distance of 635.06 feet parallel with the south boundary of said Government Lot 9 to a point;

Thence N 00°00'00" E a distance of 1146.26 feet to a point on the easterly right of way of the Payette Valley Railroad;

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Thence S 28°10'18" E a distance of 91.63 feet to a point;

Thence S 33°47'28" E a distance of 44.87 feet to a point;

Thence S 34°15'11" E a distance of 70.16 feet to a point;

Thence S 16°07'53" E a distance of 94.19 feet to a point;

Thence S 26°49'18" E a distance of 105.41 feet to a point;

Thence S 29°41'02" E a distance of 91.29 feet to a point;

Thence S 34°41'25" E a distance of 102.94 feet to a point;

Thence S 36°19'43" E a distance of 117.71 feet to a point;

Thence S 29°24'07" E a distance of 178.71 feet to a point;

Thence S 29°39'04" E a distance of 110.08 feet to a point;

Thence S 35°05'34" E a distance of 191.82 feet to a point;

Thence S 42°21'34" E a distance of 195.83 feet to a point;

Thence S 47°57'45" E a distance of 71.88 feet to a point;

Thence S 38°38'25" E a distance of 140.67 feet to a point;

Thence S 39°22'08" E a distance of 66.09 feet to a point;

Thence S 47°52'47" E a distance of 120.21 feet to a point on the westerly right of way of State Highway 95;

Thence continuing along said meander line S 47°52'47" E a distance of 214.25 feet to a point on the easterly right of way of State Highway 95;

Thence along said easterly right of way of State Highway 95 the following courses and distances;

Thence S 16°29'26" W a distance of 346.49 feet to the beginning of a curve;

Said curve to the left through an angle of 08°31'31", having a radius of 2053.67 feet, and whose long chord bears S 12°13'07" W a distance of 305.29 feet to a point;

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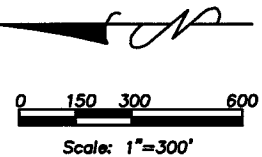
Thence S 02°09'06" W a distance of 243.22 feet to a point;  
Thence S 02°56'05" W a distance of 104.75 feet to a point;  
Thence S 05°41'18" E a distance of 36.16 feet to a point;  
Thence S 24°19'56" E a distance of 39.91 feet to a point;  
Thence S 47°24'17" E a distance of 61.65 feet to a point;  
Thence S 55°41'42" E a distance of 61.70 feet to a point;  
Thence S 58°55'59" E a distance of 104.45 feet to a point;  
Thence S 53°11'08" E a distance of 101.72 feet to a point;  
Thence S 36°07'50" E a distance of 53.14 feet to a point;  
Thence S 28°47'37" E a distance of 66.51 feet to a point;  
Thence S 26°51'40" E a distance of 101.31 feet to a point;  
Thence S 15°26'31" E a distance of 60.05 feet to a point;  
Thence S 12°55'29" E a distance of 357.31 feet to a point;  
Thence S 00°40'33" W a distance of 104.78 feet to a point;  
Thence S 00°07'42" E a distance of 22.79 feet to a point;  
Thence S 17°10'35" E a distance of 52.95 feet to a point;  
Thence S 12°45'21" E a distance of 91.66 feet to a point;  
Thence S 14°40'51" E a distance of 93.54 feet to a point;  
Thence S 16°03'43" E a distance of 102.65 feet to a point;  
Thence S 18°56'24" E a distance of 94.19 feet to a point;  
Thence S 25°18'37" E a distance of 119.78 feet to a point;  
Thence S 26°20'38" E a distance of 90.72 feet to a point;

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RECORD OF SURVEY

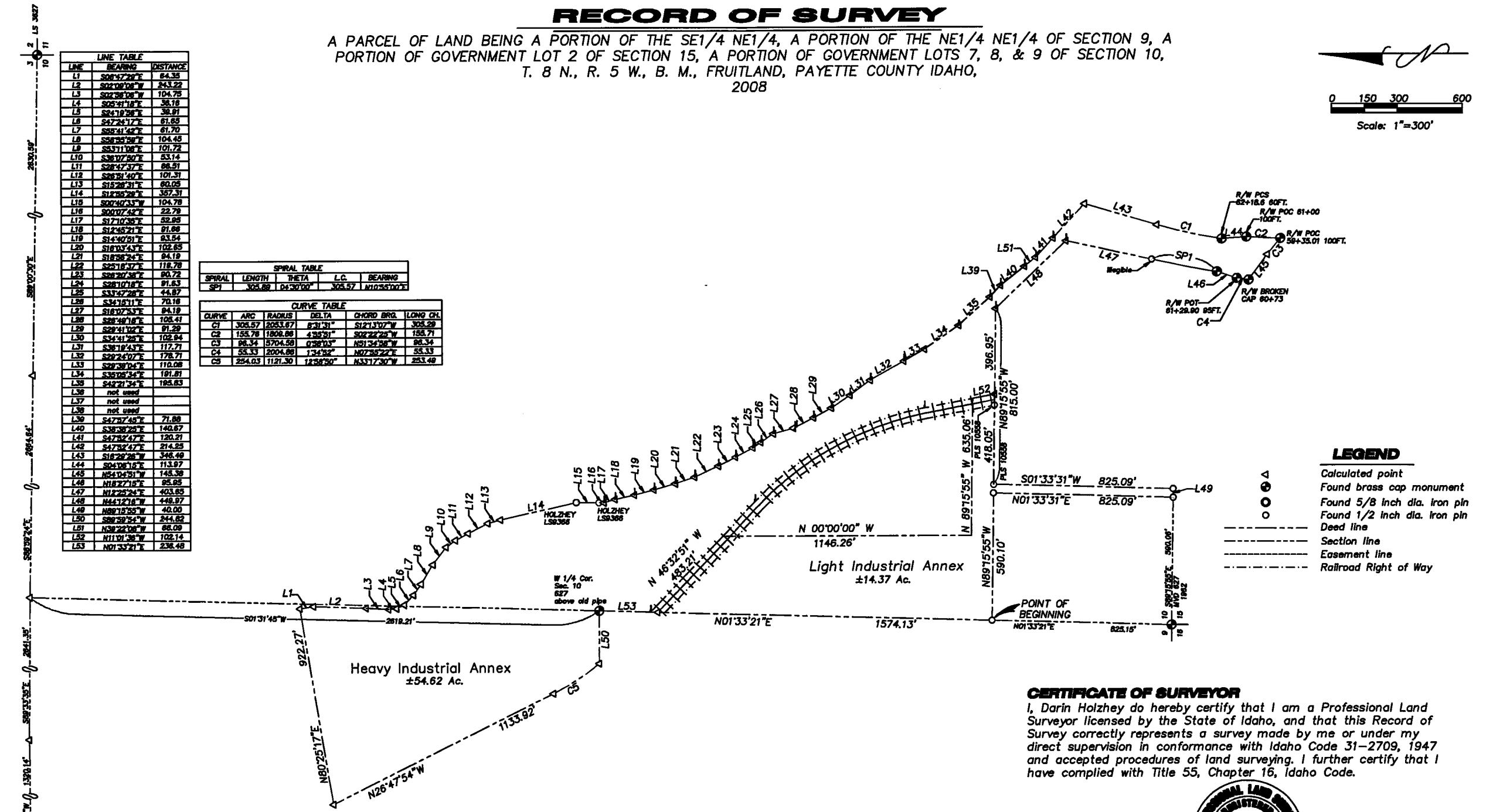
A PARCEL OF LAND BEING A PORTION OF THE SE1/4 NE1/4, A PORTION OF THE NE1/4 NE1/4 OF SECTION 9, A PORTION OF GOVERNMENT LOT 2 OF SECTION 15, A PORTION OF GOVERNMENT LOTS 7, 8, & 9 OF SECTION 10, T. 8 N., R. 5 W., B. M., FRUITLAND, PAYETTE COUNTY IDAHO, 2008



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S08°47'28"E	64.38
L2	S02°18'08"W	243.22
L3	S02°38'08"W	104.75
L4	S05°41'18"E	38.18
L5	S04°12'58"E	38.87
L6	S47°24'17"E	81.85
L7	S08°41'42"E	81.70
L8	S08°38'58"E	104.45
L9	S03°11'08"E	101.72
L10	S08°07'50"E	53.14
L11	S08°47'37"E	86.51
L12	S08°51'40"E	101.31
L13	S15°28'31"E	60.05
L14	S12°55'28"E	357.31
L15	S00°40'33"W	104.78
L16	S00°07'42"E	22.78
L17	S17°10'36"E	82.85
L18	S12°45'21"E	91.68
L19	S14°40'51"E	93.54
L20	S18°03'43"E	102.65
L21	S18°03'43"E	94.19
L22	S22°18'37"E	118.78
L23	S08°20'36"E	80.72
L24	S28°10'18"E	91.53
L25	S33°47'28"E	44.87
L26	S34°15'11"E	70.16
L27	S18°07'53"E	84.19
L28	S28°49'18"E	105.41
L29	S29°41'02"E	91.29
L30	S34°41'26"E	102.84
L31	S38°18'43"E	112.71
L32	S29°24'07"E	175.71
L33	S29°38'04"E	110.08
L34	S29°38'04"E	181.81
L35	S42°21'34"E	195.63
L36	not used	
L37	not used	
L38	not used	
L39	S47°57'45"E	71.88
L40	S38°38'25"E	140.67
L41	S47°52'47"E	120.21
L42	S47°52'47"E	214.95
L43	S16°28'26"W	345.48
L44	S04°08'15"E	113.57
L45	N05°04'51"W	145.38
L46	N12°22'24"E	403.85
L47	N44°12'16"W	449.97
L48	N08°15'55"W	40.00
L49	S08°59'54"W	344.82
L50	N38°22'08"W	66.09
L51	N11°01'36"W	102.14
L52	N01°33'21"E	236.48

SPIRAL TABLE			
SPIRAL	LENGTH	THETA	L.C. BEARING
SP1	305.57	04°30'00"	305.57 N10°55'10"E

CURVE TABLE					
CURVE	ARC	RADIUS	DELTA	CHORD BRG.	LONG CH.
C1	305.57	2253.67	8°31'31"	S12°11'07"W	305.29
C2	155.78	1808.86	4°55'51"	S02°22'24"W	155.71
C3	95.34	5704.58	0°58'03"	N51°34'58"W	95.34
C4	55.33	2004.86	1°34'52"	N07°55'22"E	55.33
C5	254.03	1121.30	12°58'50"	N33°17'30"W	253.48



- LEGEND**
- Calculated point
  - Found brass cap monument
  - Found 5/8 inch dia. iron pin
  - Found 1/2 inch dia. iron pin
  - Dead line
  - Section line
  - Easement line
  - Railroad Right of Way

**CERTIFICATE OF SURVEYOR**  
I, Darin Holzhey do hereby certify that I am a Professional Land Surveyor licensed by the State of Idaho, and that this Record of Survey correctly represents a survey made by me or under my direct supervision in conformance with Idaho Code 31-2709, 1947 and accepted procedures of land surveying. I further certify that I have complied with Title 55, Chapter 16, Idaho Code.



Darin Holzhey P.L.S. License No. 9366

The recording of this Record of Survey does not enable the owners of the Parcels to convey ownership based solely on this map. A written conveyance must accompany such change in ownership. This Record of Survey does not serve as a legal description for the property shown on this map.

This drawing does not necessarily show all of the physical features of the property. Mason & Stanfield, Inc. assumes no liability for present or future compliance or non-compliance with governing jurisdictions restrictions pertaining to building permits, vehicle access permits or septic permits.

INDEX NO. 854-10-0-0-0-00-00  
INDEX NO. 854-09-1-0-0-00-00

**SURVEY FOR**  
**City of Fruitland**

**Mason & Stanfield, Inc.**  
Professional Engineers, Land Surveyors & Planners  
314 South E. Central, ID 83402  
(208) 614-0888 Fax (208) 614-0877

JOB NO. JAO-408  
DWG NO. JAO-408-ANNEX  
SCALE: 1"=300' REV.  $\Delta$   
FIELD BOOK NO.  
DRAWN BY: JH DATE: 08/08/08

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